

Auckland City Operative District Plan (Isthmus 1999)

Proposed plan modification no. 163 plan change under Section 73 of the Resource Management Act 1991

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File No. 311/209163

PART A: Amendments to Part 2 – Resource Management

- 1. Amend clause 2.4 Strategy so that the second paragraph under the sub-section Heritage reads as follows:**

Particular residential areas display distinctive characteristics important to the ~~preservation~~ protection of the City's heritage. These areas include features such as heritage buildings, trees and views, which combine to create a distinctive character. Such areas are identified in the Plan as special character residential areas and are subject to protective controls which are aimed at ~~preserving~~ protecting their special qualities.

PART B: Amendments to Part 4 – General Provisions and Procedures

- 1. Amend clause 4.3.1.2 Discretionary Activities Assessment by inserting the following subclause:**

G. Development Control Modification – Fences, Walls and other structures in the Residential 1 and 2 zones

Where, the construction of any fence, wall or other structure, seeks to modify development control rule 7.8.1.15 (Fences, walls or other structures in the Residential 1, 2a, 2b and 2c zones), the Council may grant a discretionary activity resource consent where it is satisfied that:

(i) If in the Residential 1 zone:

- The wall, fence or other structure does not obscure the architectural character of the existing building on the site, and maintains the traditional visual link and the interactive relationship between the building and the street; and
- Materials used are sympathetic to the existing building on the site and do not detract from the special character of the streetscape; and
- The scale and form of walls, fences and other structures reflects the historic form and pattern of development along the street and does not destroy or detract from the continuity or harmony of existing fences along the street; and
- The adverse effects on the environment of such a modification are minor having regard to the Plan's express explanation of the development control rule and to the "Architectural Design Guidelines for the Residential 1 and 2 zone" (Appendix 13)

(ii) If in the Residential 2 zone:

- The wall, fence or other structure has sufficient visual permeability so that outlook from the street to the traditional spaciousness and landscape qualities of the front yard is maintained; and
- The scale and form of walls, fences and other structures does not destroy or detract from the continuity or harmony of any existing fences along the street; and

- The adverse effects on the environment of such a modification are minor having regard to the Plan’s express explanation of the development control rule and to the “Architectural Design Guidelines for the Residential 1 and 2 zone” (Appendix 13)

Any consent given may be subject to one or more of the conditions outlined in clause 4.3.1.2B (ii) Conditions. The scope of any consent will be limited to that set out in clause 4.3.1.2B Scope.

2. Amend clause 4.3.2.5 RESTRICTED CONTROLLED ACTIVITIES so that the third, fourth and sixth bullet points read as follows:

- The construction and/or relocation of residential units (within the density limits specified in Clause 7.7.2.1 DENSITY) or any new building in Residential ~~1, 2a, 2b, 2c~~, 3a, 3b and 4 zones (refer to Clauses 7.7.1 ACTIVITIES IN THE RESIDENTIAL 1-7 ZONES and 7.7.3 CONTROLLED ACTIVITIES) and Residential 8 zones.
- External additions or alterations to existing buildings on the site in Residential ~~1, 2a, 2b, 2c~~, 3a, 3b and 4 zones (refer to Clauses 7.7.1 ACTIVITIES IN THE RESIDENTIAL 1-7 ZONES and 7.7.3 CONTROLLED ACTIVITIES).
- Any wall, fence or other structure within the front yard required by Clause 7.8.1.7A FRONT YARD in Residential ~~1 and 3a zones~~ (refer Clause 7.7.3.2F CRITERIA FOR ACTIVITIES).

3. Insert the following subclause immediately under the heading of clause 4.3.2.6 RESTRICTED DISCRETIONARY ACTIVITIES:

Except as provided for by Section 94C(2) of the Act, the normal tests for non-notification under sections 93 and 94 of the Act will apply to the following discretionary activities:

- The total or substantial demolition or removal of any residential building (excluding accessory buildings) constructed prior to 1940 in the Residential 1, 2a, 2b and 2c zones.

The Council will restrict the exercise of its discretion for those matters specified in the Plan for these particular activities.

4. Amend the ninth bullet point under clause 4.3.2.6 RESTRICTED DISCRETIONARY ACTIVITIES to read:

- Any activity identified as a restricted discretionary activity in other Parts of the Plan (unless already listed elsewhere under this clause).

5. Amend clause 4.3.2.6 RESTRICTED DISCRETIONARY ACTIVITIES to insert the following bullet points immediately before the last paragraph relating to activities in the Business 5 and 6 zones:

- The construction and/or relocation of residential units or any new building in Residential 1, 2a, 2b and 2c zones (refer to Clauses 7.7.1 ACTIVITIES IN THE RESIDENTIAL 1-7 ZONES and 7.7.4 DISCRETIONARY ACTIVITIES).
- External additions or alterations to existing buildings on the site in Residential 1, 2a, 2b and 2c zones (refer to Clauses 7.7.1 ACTIVITIES IN THE RESIDENTIAL 1-7 ZONES and 7.7.4 DISCRETIONARY ACTIVITIES).

PART C: Amendments to Part 7 – Residential Activity

1. Amend the second bullet point under clause 7.2 RESOURCE MANAGEMENT ISSUES to read:

- The need to recognise, ~~maintain and where possible enhance~~ and protect the recognised character and amenity of established residential environments;

2. Amend clause 7.3.2 OBJECTIVE to read:

To identify, ~~maintain and enhance~~ and protect the recognised character and amenity of residential environments.

Policies

- By ensuring that the type and intensity of residential activity in each area occurs at a level capable of being sustained by the local environment.
- By adopting measures aimed at ~~enhancing~~ protecting the heritage qualities of certain residential areas.

3. Amend clause 7.4.2 CHARACTER AND AMENITY so that the second and third paragraphs read as follows :

In certain areas this character is so special as to warrant its protection. This has resulted in a series of special character zones being identified on the Isthmus (namely the Residential 1 to 4 zones). These areas are a key part of Auckland’s heritage, but their amenity value is fragile and could be damaged by unsympathetic or discordant land development, building forms and densities.

These areas represent a scarce legacy from the City’s past. They require protection in order that they may survive and be appreciated by future generations. The special character zoning will result in the ~~conservation~~ protection of these areas. Controls are applied to ~~conserve~~ protect the particular element(s) or qualities which give each area its character, such as development intensity, form, site, size, building style, mature planting. The level of protection varies according to the intent of the zone. The special character zones are in general distinct from Conservation Areas as identified in Part 5C.7.2 of the Plan. The generally more strict and specific rules applying to Conservation Areas are in addition to the rules of the underlying special character zone.

4. Amend clause 7.4.2 CHARACTER AND AMENITY to insert the following sentence at the end of the fourth paragraph:

These standard residential zones allow a greater degree of flexibility of building design than the special character residential zones.

5. Amend clause 7.4.6 EXPECTED OUTCOMES so that the fourth paragraph reads as follows :

Residential areas that warrant particular consideration due to their special character have more restrictive controls applied in order to protect ~~and enhance~~ their uniqueness, and the particular elements or qualities that are characteristic of the streets and areas that warranted inclusion in the zone.

6. Amend clause 7.5.1.1 ZONING so that the last paragraph before the heading Special Character Residential Zones reads as follows:

The zoning pattern is qualified by the identification of exceptional areas which warrant special protection or safeguards. There are certain areas where controls are applied to ~~conserve~~ protect the particular elements or qualities which give each area its character, such as development intensity and form, lot sizes, building style, mature trees, etc.

7. Amend clause 7.5.1.1 so that the section under Special Character Residential Zones reads as follows:

.....
Certain environments within the Isthmus comprise features that are considered to justify ~~conservation~~ protection on the premise that they are a scarce legacy to this generation. Specific measures have been incorporated in the Plan to ensure that these environments are able to be appreciated by future generations. Generally the value or special character of a particular

environment is primarily viewed from the road. Other vantage points such as reserves, public thoroughfares, and the sea also offer opportunities for the public to gain an appreciation of this special character. When assessing the special character of an area the public visibility of its qualities will be an important factor.

Features that contribute to the special character of an environment include:

- Landform
- Aspect - climate/views;
- Age, style and condition of housing;
- Lot size/width;
- Set-back and density of housing;
- Window/wall ratios;
- Traditional pitched roof forms;
- A transparent and interactive relationship between building and street;
- The 'grain' of the area – the size, spacing and rhythm of street-front buildings;
- Character of front yard;
- Character of street - width, berms, etc;
- Presence of trees and shrubs, on/off street;
- Property boundary definition - hedges, fences, walls ;
- Quietness/seclusion;
- Historical ambience.

In each case, there needs to be a measure of coherence to bind an area together in terms of some of these features.

Special character ~~or heritage quality~~ is apparent when:

- components such as buildings, trees and views combine to create a distinctive character; and/or
- landform or setting makes an important contribution to this character; and/or
- the scale and/or style of subdivision pattern and/or building has a high degree of coherence and continuity, and/or has remained relatively free of intrusions; and/or
- there is a predominance or cohesion of individual buildings which are individually of merit.

Three types of special residential character have been identified on the Isthmus (set out in the following table). These range from those in which the built environment predominates to those where the flora predominates. Between the two lie combinations of built and natural landscapes and vegetation.

Examples of these environments may be found in various locations around the Isthmus and as a consequence sub-zones have been developed to account for particular variations.

The special character zones sit within a continuum of heritage provisions in the Plan. The highest level of protection is for the scheduling of specific buildings within the Plan, followed by the Conservation Areas, and then the special character zones. Refer to Part 5C.5 IMPLEMENTATION for further detail on scheduled features and Conservation Areas.

~~Not all residential special character zones require the same level of protection. Depending upon the uniqueness and scarcity of the particular character, various degrees of protection apply within the special character zones. The greatest building restrictions apply in those of the Residential 1 zone which fall within Conservation Areas, where detailed design criteria apply. Elsewhere in the Residential 1 zone, and in the Residential 2 and 3 zones, the design criteria applicable are of a more general nature.~~

The control regime for the special character residential zones involves a progression of control and emphasis between the predominantly “built” and the predominantly “natural” type of residential environment (from the Residential 1 zone to the Residential 4 zone). In each of the special character residential zones the controls reflect and reinforce the identified character of an area. Controls specific to these zones include:

- density limits;

- limits on infill;
- controls on bulk and location for buildings;
- ~~prescriptive design~~ **and appearance** criteria (including the Architectural Design Guidelines);
- ~~voluntary design criteria;~~
- earthworks control;
- control on demolitions.

Other development controls are applied in common with the standard residential zones.

In general the controls will have the outcome of protecting the ~~various heritage and amenity features identified~~ **special character of a street and/or area**. In addition, the controls are expected to provide a climate of stability and certainty that will encourage private owners to maintain and rehabilitate their period homes. This should help to ensure the ~~conservation~~ **protection** of the **special character of the** City's early timber built suburbs. In particular areas, the controls will also secure the ~~protection~~ **retention** of extensive areas of trees which provide special neighbourhood character.

While these controls seek to achieve the maintenance of the special character of particular areas, it is acknowledged that the general character of these areas is also affected by the design and appearance of **streetscapes**, road works and services. Therefore the Council will develop and promote local traffic management techniques, service provision (eg undergrounding), and **pavement and curbing design and** road planting programmes, where appropriate, which are sympathetic to the objectives and policies of the special character zones.

The Plan does not intend that the elements or qualities which give the special character zones their uniqueness be kept from change (i.e are 'frozen in time'). It is also not intended that any new building in these zones should be period replicas. Rather it is intended that development as a whole is sympathetic to, and respects, such elements, ensuring that the special character of an area is retained.

8. Amend the third paragraph under clause 7.5.1.3 DEVELOPMENT CONTROLS so that it reads :

The Plan seeks to regulate the type and intensity of residential land use at a level capable of being sustained by the local environment. A core group of controls apply to the range of standard residential zones. They seek to promote zonal objectives and policies. In the Residential 1 to 4 zones they are applied to ~~conserve~~ **protect** the particular elements **or qualities** which give each area its character, such as development intensity and form, lot size, building style, mature trees etc. Not all residential character areas require the same level of protection. Depending upon the uniqueness and scarcity value of the particular character, various degrees of protection apply. The Plan seeks to control the type and/or height of fences or walls constructed within the required front yard of sites in the Residential 1 and 2 zone to ensure that those elements or qualities that characterise areas within the zone are protected. In the Residential 5 to 7 zones

9. Amend clause 7.6.1.1 OBJECTIVE AND POLICIES (Residential 1 - Built) as follows:

Objective

To ~~promote~~ **ensure** the survival of the historic form and pattern of subdivision, buildings and streetscape in Auckland's early-established residential neighbourhoods.

Policies

- By maintaining the authenticity of character of **land included in** the zone in relation to activities, development, and by ~~discouraging~~ **preventing** other work which is not in sympathy with the ~~identified~~ **special** character.
- By ~~encouraging~~ **requiring** renovation and new building construction in a manner which maintains **and protects** the historic form and pattern of buildings and streetscape in the ~~zone~~ **areas to which the zone is applied.**
- By protecting the special level of amenity that exists in the area, against the adverse effects of more intensive non-residential activities.

- By imposing provisions which seek to maintain and as appropriate enhance the amenity of the streetscape appearance of these areas through controlling structures in the front yard and through road maintenance and improvements compatible with the character of the vicinity.
- By providing for activities to be conducted in existing buildings that can ensure the restoration and maintenance of the fabric of any building on the site, where the building is of the characteristic historic period.
- By encouraging, where practical, the construction of garages and carports to the rear of, underneath (where appropriate in terms of topography), or alongside the building on the site to ensure the front garden and façade remain visible to the streetscape.
- By protecting buildings constructed prior to 1940 where they significantly contribute to the special character of the streetscape.

10. Amend clause 7.6.1.2 STRATEGY so that it reads as follows:

.....
 In light of the ~~heritage and amenity~~ special character of the areas encompassed within the Residential 1 zone, new building construction, other than minor works as described, requires a resource consent in order that compliance with the relevant objectives, policies and rules can be assessed.

For new or altered buildings, appropriate design criteria (including Architectural Design Guidelines) are applied to maintain consistency of building set-back and of architectural mass, form, proportion, detail and materials within the zone, including treatment of the front boundary. Because of the small lot sizes, buildings are permitted to cover a larger proportion of the sites than in the standard zones. The building set-back for dwelling construction is determined on a lining-up basis.

As the streetscape is an important element in the Residential 1 zone, it is expected that the provision of off-street parking will be in the form of a car parking pad or a single width garage or carport (under certain circumstances) if located to the front of the existing building on the site (particularly within the front yard). It is expected that double garages or carports will be located to the rear of, alongside or underneath (where appropriate in terms of topography) the existing building on the site, to ensure that visibility of the existing building from the street is maintained.

Controls are applied to the erection of walls, fences and other structures at the front boundary. Generally walls and fences shall be required to be characteristic of the era being ~~conserved~~ protected in the zone. There will however be exceptional cases such as a street on a lava flow in basaltic volcanic areas with a legacy of scoria walls which should be maintained. Concrete block or stucco walls should generally be avoided. ~~In addition, it is recognised that the need for the protection of children and the security of households and property not to be unnecessarily compromised, is a factor to be taken into account in considering the appropriate scale and form of the wall or fence to be erected.~~

.....
 A special level of amenity exists in the area which requires protection from the adverse effects of intensive activities. Activities will require consent in order that the compatibility of the particular activity with the special character of the area can be assessed. ~~Proposals that require the removal or damage of historic building stock, are unlikely to be consented to.~~

~~External additions or alterations to existing buildings on sites in this zone are classed as controlled activities. Where the criteria set out in Clause 7.7.3.2 ADDITIONAL CRITERIA FOR SPECIFIC ACTIVITIES are met, it shall be deemed that the activity is of minor effect and that no person will be adversely affected by the granting of such resource consent.~~

The total or substantial demolition or removal of buildings (excluding accessory buildings) is controlled so that consideration can be given to the extent the building contributes to the special characteristics and qualities of the streetscape. The exclusion of accessory buildings from this provision does not extend to the demolition of an accessory building on a property scheduled (i.e site and surrounds) in the Plan. Refer to clause 5C.7.1.3 for such accessory buildings.

11. Amend clause 7.6.1.3 EXPECTED OUTCOMES so that it reads:

The controls in the Residential 1 zone are expected to provide a climate of stability and certainty. This will encourage private owners to maintain and rehabilitate their period homes in a manner that is in keeping with the form of the surrounding built environment. The provisions of the Residential 1 zone will also ensure that new building construction is sympathetic to, and consistent with, the elements and qualities of the surviving original character that give areas in this zone their special character.

12. Amend clause 7.6.2.1 OBJECTIVE AND POLICIES (Residential 2 – Built/Flora) as follows:

7.6.2.1 OBJECTIVE AND POLICIES

Objective

To protect the architectural values of buildings which contribute to the special character of the streetscape.

Policies

- By ensuring renovation of existing buildings and new buildings maintain the historic form and pattern of buildings, open space and distinctive streetscapes of land included in the zone.
- By maintaining the architectural values of period housing predominate in the street.
- By protecting buildings constructed prior to 1940 where they significantly contribute to the special character of the streetscape.

Objective

*To ~~conserve~~ **protect** the landscape qualities of those residential areas which display a special blend of built and natural features, generally involving period housing, coupled with the presence of trees.*

Policies

- By maintaining the quality of spaciousness which characterises land included in the zone.
- By ~~protecting and~~ requiring the retention of ~~conserving~~ the larger trees, located on private property, roads and reserves, which give land included in the zone a distinctive character.
- By ~~encouraging~~ requiring, where appropriate, replacement planting of indigenous trees to maintain the landscape qualities and spaciousness of areas in this zone. ~~renovation and new building construction in a manner which maintains the historic form and pattern of buildings, open space, large trees and distinctive streetscapes in the zone.~~
- By ensuring that the spacious and well-landscaped front yards which are typical of land in this zone retain a reasonable degree of visibility from the street.

13. Amend Clause 7.6.2.2 STRATEGY so that it reads:

.....

• **Residential 2b**

~~These areas~~ Areas included in this sub-zone have higher housing densities and building coverage than areas in the Residential 2a and 2c zones, and generally involving period homes.

The zone has also been applied to protect significant bush clad areas, ~~in the Isthmus.~~

~~Although~~ While parts of these areas do not display the period housing characteristics of the Residential 2 zone, these areas do exhibit a special landscape quality.

Given the special blend of built and natural features that characterise areas in the zone, new building construction (other than minor works described) requires a resource consent in order that compliance with the relevant objectives, policies and criteria can be assessed.

Broadly based design criteria are applied to resource consent applications for new building construction in order to maintain consistency of architectural mass, form, proportion and materials as appropriate in the subzones.

Controls are applied on the height of walls, fences and other structures in the required front yard to ensure outlook from the street over the typical spacious and well-landscaped front yard is maintained.

The total or substantial demolition or removal of buildings (excluding accessory buildings) is controlled so that consideration can be given to the extent the building contributes to the special characteristics and qualities of the streetscape. The exclusion of accessory buildings from this provision does not extend to the demolition/removal of an accessory building on a property scheduled (i.e site and surrounds) in the Plan. Refer to clause 5C.7.1.3 for such accessory buildings.

14. Amend Clause 7.6.2.3 EXPECTED OUTCOMES to read:

A special level of amenity exists in the area which requires protection from the adverse effects of more intensive non-residential activities. The provisions of the Residential 2 zone are expected to ensure that new building construction is sympathetic to existing (and where relevant, the surviving original) architectural qualities and landscaped qualities that give land in this zone its special character.

~~The controls imposed in the zone and the guidelines issued are expected to result in development that is consistent with the identified elements of the zone.~~

15. Amend Table 7.7.1 ACTIVITIES IN THE RESIDENTIAL 1-7 ZONES as follows:

Activities	Zones									
	1	2a, 2b, & 2c	3a	3b	4	5	6a	6b	7a & 7b	7c
Construction and/or relocation of residential units (within the density limits specified in Clause 7.7.2.1) or any new building (including accessory buildings)#	C* <u>D**</u>	C* <u>D**</u>	C*	C*	C*	P	P	P	P	P
External additions or alterations to existing buildings on the site (within the density limits specified in Clause 7.7.2.1) #	C* <u>D**</u>	C* <u>D**</u>	C*	C*	C*	P	P	P	P	P
Any wall, fence or other structure other than a picket fence as provided for below not defined as a building located within the yard required by Clause 7.8.1.7A	C*	P	C*	P	P	P	P	P	P	P
Picket fences no higher than 1.2m within the front yard as required by Clause 7.8.1.7A	P	P	P	P	P	P	P	P	P	P
<u>The total or substantial</u>	<u>D**</u>	<u>D**</u>	-	-	-	-	-	-	-	-

<u>demolition or removal of any building (excluding accessory buildings) constructed prior to 1940 in the Residential 1, 2a, 2b and 2c zones.</u>										
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16. Amend clause 7.7.2 PERMITTED ACTIVITIES so that Explanation i) relating to the Residential 1, 2, 3 and 4 zones reads :

A limited range of permitted activities have been nominated for these zones. Activities in these zones have generally been classified as controlled or discretionary activities to enable the Council to ensure that the particular elements which give each area its character are ~~conserved~~ protected.

17. Amend clause 7.7.3 CONTROLLED ACTIVITIES as follows:

.....

i) Residential 1, 2, 3 and 4 Zones

The Plan provides for a variety of design choices. Adherence to design guidelines contained in the annexures to the Plan may be required in certain circumstances to ensure that the design of new buildings and the refurbishment of old are sympathetic to those elements and aspects of the area's environment that contribute to its special character.

Residential 1 & 3a Zones

These zones have This zone has special characteristics, as described in ~~their~~ the zone strategy. To afford appropriate protection, certain activities are classified as controlled. The Plan applies design criteria to ensure that the design and location of buildings are sympathetic to those elements and aspects of the area's environment that contribute to its special character.

~~*In these zones, it is the intent of the criteria that new buildings, additions or alterations are designed and located in a manner which respects the surviving original physical and architectural character of the neighbourhood, without being tightly constrained to use period overall design or detailing. In this respect new structures should be designed so as to visually relate to, and rest harmoniously alongside original buildings or elements as the case may be, whether original style and detail is used or not.*~~

In the Residential 3a zone, it is the intent of the criteria that new buildings, additions or alterations are designed, finished and located in such a manner as to respect and rest harmoniously with the natural character of the cone on which they are situated, and not exhibit unnecessary or overt prominence over their landscape context.

Residential 2a, 2b, 2c and 3b and 4 Zones

These zones have special characteristics, as described in their zone strategy. To afford appropriate protection, certain activities are classified as controlled. The Plan applies design criteria to ensure that the design and location of buildings are sympathetic to those elements and aspects of the area's environment that contribute to its special character.

~~*In the Residential 2a, 2b, 2c and 3b zones, it is the intent of the criteria that new buildings, additions or alterations are designed and located in a manner which respects the surviving original physical and architectural character of the neighbourhood, without being tightly constrained to use period overall design or detailing. In this respect new structures should be designed so as to visually relate to, and rest harmoniously alongside original buildings or elements as the case may be, whether original style and detail is used or not. Retention of the tree filled quality of these areas is important and buildings must be located with this in mind.*~~

~~*In the Residential 2b zone, certain parts do not contain a coherent style of period housing. In these areas the focus of the zone is on the retention of the tree filled quality of the areas.*~~

In the Residential 3b and 4 zones, it is the intent of the criteria that new buildings, additions or alterations are designed, finished and located in such a manner as to respect and rest harmoniously with the natural character of the cone, cliff or landscape on which they are situated.

In the Residential 2, 3 and 4 zones, a tree plan is required to be submitted with any application for resource consent in order that particular attention may be given to safeguarding the health of trees on the site.

18. Amend clause 7.7.3.1 GENERAL CRITERIA FOR ASSESSING APPLICATIONS FOR CONTROLLED ACTIVITIES as follows:

.....

6. Tree plan to accompany applications

All applications for resource consents in the Residential ~~2a, 2b, 2c,~~ 3b and 4 zones shall be accompanied by an accurate plan of the positions of existing trees.....

19. Amend clause 7.7.3.2 ADDITIONAL CRITERIA FOR SPECIFIC ACTIVITIES as follows:

B. Criteria for External Additions or Alterations to existing buildings on the site in the Residential ~~2a, 2b, 2c,~~ 3b and 4 Zones

Applications under this Clause which comply with the Architectural Design Guidelines (ANNEXURE 4) shall be deemed to comply with the following criteria.

When assessing an application for a resource consent to building additions or alterations the Council must be satisfied that the relevant objectives and policies for the zone have been met and that:

- ~~• The form, mass, proportion and materials of the addition or alteration shall be compatible with the original architectural style of the existing dwelling on the site;~~
- The form, colour and texture of the addition or alteration shall be visually compatible with that of the cone, cliff or landscape on which it is situated, and shall not compete with or dominate that character. ~~(Relates to Residential 3b and 4 zones).~~

C. Criteria for the Construction or Relocation of Residential Units (within the density limits specified in Clause 7.7.2.1 DENSITY) or any new building or structure or Accessory Buildings in the Residential ~~2a, 2b, 2c,~~ 3b and 4 Zones

Applications under this Clause which comply with the Architectural Design Guidelines (ANNEXURE 4) shall be deemed to comply with the following criteria.

When assessing an application for a resource consent for a new building (be it a residential unit or accessory building) the Council must be satisfied that the relevant objectives and policies for the zone have been met and that:

- ~~• The form, mass, proportion and materials of the building shall be compatible with the original architectural style predominant in the street, and shall not ignore, compete with, or dominate that character;~~
- The form, colour and texture of the building shall be visually compatible with that of the cone, cliff or landscape on which it is situated, and shall not compete with or dominate that character. ~~(Relates to Residential 3b and 4 zones).~~

D. Criteria for External Additions or Alterations to existing buildings on a site in the Residential ~~1 &~~ 3a Zones

When assessing an application for a resource consent to building additions or alterations, the Council must be satisfied that the relevant objectives and policies for the zone have been met and that:

- ~~Changes to the road facade of the building shall be in character with the existing building and shall not significantly alter the heritage character of the whole fabric or design, or the character of original detail;~~

- ~~• Subject to the above, additions shall be so positioned or modifications so designed as not to detract from the continuity of front facade alignment of the dwellings in the vicinity;~~
- The form, mass, proportion and materials of the addition or alteration shall be compatible with the prevailing architectural style of the existing dwelling on the site;
- ~~In the Residential 3a zone the~~ **The** form, colour and texture of the addition or alteration shall be visually compatible with that of the cone on which it is situated, and shall not compete with or dominate that character;
- Materials and the use of materials shall be in sympathy with the traditional character and material of buildings in the vicinity;
- Any existing traditional fencing at the front boundary shall as far as possible be preserved or reinstated after development; provided that, in considering the appropriate scale and form of the fencing, the need for the protection of children and the security of households and property shall be taken into account.

Applications under this Clause which comply with the Architectural Design Guidelines (ANNEXURE 4) shall be deemed to comply with the foregoing criteria.

E. Criteria for the Construction or Relocation of Residential Units (within the density limits specified in Clause 7.7.2.1 DENSITY) or any new building or Accessory Buildings in the Residential 1 & 3a Zones

When assessing an application for a resource consent for a new building (be it a residential unit or accessory building), the Council must be satisfied that the relevant objectives and policies for the zone have been met and that:

- ~~• The form, mass, proportion and materials of the building shall be compatible with the original architectural style predominant in the street, and shall not ignore, compete with, or dominate that character;~~
- ~~In the Residential 3a zone, the~~ **The** form, colour and texture of the building shall be visually compatible with that of the cone on which it is situated, and shall not compete with or dominate that character;
- The building shall be so positioned as not to detract from the continuity of the front facade alignment of the dwellings in the vicinity;
- Any existing traditional fencing at the front boundary shall as far as possible be preserved or reinstated after development; provided that, in considering the appropriate scale and form of the fencing, the need for the protection of children and the security of households and property shall be taken into account.

Applications under this Clause which comply with the Architectural Design Guidelines (ANNEXURE 4) shall be deemed to comply with the foregoing criteria.

F. Criteria for Activities located within the Front Yard required by Clause 7.8.1.7A. FRONT YARD in the Residential 1 & 3a Zones

When assessing an application for a resource consent to construct a wall, fence or other structure not included in the definition of building, within front yards of sites in the Residential 1 and 3a zones, the Council must be satisfied that

20. Amend clause 7.7.4.1 GENERAL EXPLANATION (Discretionary Activities) to insert the following after the last paragraph under the sub-heading Integrated Housing Development:

New building construction (including external additions and alterations) in the Residential 1 and 2 zones

Adherence to the specified assessment criteria and the design guidelines contained in the appendices to the Plan will be required to ensure that the design of new buildings and external

additions and alterations to existing buildings are sympathetic to those elements and aspects of the area's environment that contribute to its special character.

The Council considers that new buildings and external additions and alterations to existing buildings are appropriate, however, the Council has retained discretion to consider certain aspects of building design and appearance and has the right to decline consent.

a) Residential 1 zone

In the Residential 1 zone, as a consequence of the design criteria and guidelines, new buildings and external additions or alterations to existing buildings will be designed and located in a manner which respects and relates positively to the surviving original physical and architectural character of the neighbourhood, without new development being tightly constrained to use period overall design or detailing. In this respect new structures should be designed so as to visually relate to, and rest harmoniously alongside, original buildings or elements as the case may be, whether original style and detail is used or not.

b) Residential 2a, 2b, 2c Zones

The Plan has design criteria and guidelines to ensure that new buildings and external additions and alterations to existing buildings will be designed and located in a manner which respects and relates positively to those elements and aspects that contribute to the special character of an area, and in particular to the period housing and landscaping which is characteristic of areas included in the zone. Retention of the tree-filled quality of these areas is important and buildings must be located with this in mind.

Demolition or removal of buildings (excluding accessory buildings) constructed prior to 1940 within the Residential 1, 2a, 2b and 2c zones.

The effects on the special character of a streetscape are an important consideration in the Residential 1 and 2 zones. To help protect this special character, the total or substantial demolition or removal of any building constructed prior to 1940, has been made a Discretionary activity in these zones. The Council has restricted the exercise of its discretion to those matters specified. This will allow the Council to consider the historic qualities of the building as well as the effect of the demolition or removal on the architectural qualities and special characteristics of the streetscape and surrounding area.

Accessory buildings are not subject to this provision in recognition that the demolition or removal of the primary building on the site will have the greatest potential impact on the special character of the streetscape. The exclusion of accessory buildings from this provision does not extend to the demolition/removal of an accessory building on a property scheduled (i.e site and surrounds) in the Plan. Refer to clause 5C.7.1.3 for such accessory buildings.

- 21. Amend the table under clause 7.7.4.2 GENERAL CRITERIA FOR ASSESSING APPLICATIONS FOR DISCRETIONARY ACTIVITIES as follows:**

Discretionary Activity	Particular Matters to be Addressed										
	1	2	3	4	5	6	7	8	9	10	11
Construction or relocation of residential units (within the density limits specified in Clause 7.7.2.1) or any new building or structure		*	*	*		*					*
External additions or alterations to existing buildings on the site				*		*					*
<u>The demolition or removal of any building (excluding accessory buildings) as provided for in Clause 7.7.1</u>											*

22. **Amend clause 7.7.4.2 GENERAL CRITERIA FOR ASSESSING APPLICATIONS FOR DISCRETIONARY ACTIVITIES as follows:**

.....

4. Buildings

In general buildings or structures should be of a similar or complimentary scale and appearance to that of other residential buildings within the surrounding area. Where this is not practicable, buildings should not overshadow or become overly dominant. Methods to mitigate any adverse effect may include the use of separation distances between the proposal and adjacent sites and the provision of screening.

Where design guidelines are referred to, development shall be consistent with the design guidelines.

5. Noise

Activities shall be conducted.....

.....

11. Tree Plan to Accompany Applications

All applications for resource consents in the Residential 1, 2a, 2b, 2c, 3b and 4 zones shall be accompanied by an accurate plan of the positions of existing trees on the site, the location of the development proposals and (if relevant) the vehicle path of any building intended to be moved.....

23. **Amend clause 7.7.4.3 FURTHER CRITERIA TO BE CONSIDERED so that it reads as follows:**

A. [~~Non-Permanent Accommodation~~, Care Centres, ~~Homes for the Aged~~, Educational Facilities, Community Welfare Facilities, Hospitals, Dairies, Places of Assembly and Healthcare Services in the Residential 1-4 Zones] 26

The proposal must not require the removal of or damage to, any existing building of the era being ~~conserved~~ protected, nor involve any new building which will detract from the appearance of any existing buildings on the site or in the vicinity. Applications under this Clause which comply with the Architectural Design Guidelines applicable to the zone (ANNEXURE 4 and APPENDIX 13) shall be deemed to comply with the foregoing criteria.

24. **Insert the following paragraphs under clause 7.7.4.3 FURTHER CRITERIA TO BE CONSIDERED immediately after the last paragraph under the heading ‘P. Construction and/or relocation of 4 or more residential units (within the density limits specified in Clause 7.7.2.1) within the Residential 6 & 7 zones’ :**

O. External additions or alterations to existing buildings on a site in the Residential 1 zone

To assist in the application of the following criteria, refer to the Architectural Design Guidelines for the Residential 1 and 2 zones (Appendix 13).

When assessing an application for a resource consent for external building additions or alterations, the Council must be satisfied that the relevant objectives and policies for the zone have been met, and that:

- The form, mass, proportion and scale of the external additions and alterations shall be compatible with the prevailing architectural style of the existing building on the site. To demonstrate this, a site and context analysis may need to be submitted which shows the extent to which the form, mass, proportion and materials of the additions and alterations are sympathetic to the original architectural style predominant in the street. The provision of this analysis is dependant on the size and scale of the development proposed (refer to Appendix 13 for more detail on the requirements for a site and context analysis); and

- Alterations to expand the building within a roof-space shall respect, and leave dominantly visible, the form and lines of the existing roof; and
- Where decoration and architectural features are used, such features shall follow the characteristic form and detail of the existing building on the site, or if the original features have been removed/altered, other buildings of the same period in the street; and
- Changes to the frontage of an existing building shall not detract from the heritage character of the whole fabric, design, or the character of original detailing of the facade, and shall not detract from the continuity of facade alignment of the buildings in the street; and
- Materials used shall be the same or similar as the existing materials of the building so that the new building work is consistent with the traditional character and material of existing buildings on the site and in the street; and
- Any existing traditional fencing along the road frontage boundary shall be preserved or reinstated at the completion of development; and
- Where garages or carports are to be adjoined to the existing building on the site, they shall not obscure the visibility of the building from the street. Consideration shall be given to alternative locations on the site for the garage or carport where visibility of the building will be obscured; and
- New windows and doors shall be consistent with the proportions and detail of the windows and doors predominant in the existing building and with the overall window to wall ratio, to ensure visual cohesion.

Note: There is an expectation that new building construction in the Residential 1 zone will satisfy all of the assessment criteria or the Council may refuse consent.

R. Construction or relocation of residential units or any new building or accessory building in the Residential 1 zone

To assist in the application of the following criteria, refer to the Architectural Design Guidelines for the Residential 1 and 2 zones (Appendix 13).

When assessing an application for a resource consent for a new building (be it a residential unit, new building or an accessory building), the Council must be satisfied that the relevant objectives and policies for the zone have been met, and that:

- The form, mass, proportion and scale of the building shall be compatible with the original architectural style predominant in the street, and shall not ignore, compete with, or dominate that character. To demonstrate this, a site and context analysis shall be submitted which shows how the new building respects and responds positively to the special character of the street in terms of form, mass, proportion and use of materials (refer to Appendix 13 for more detail on the requirements for a site and context analysis); and
- Materials used shall be in sympathy and shall have a clear relationship to the traditional character and materials of buildings along the street; and
- Buildings shall maintain a window to wall ratio visible from the street that is similar to that predominant on the surviving original character buildings in the street; and
- Buildings shall be located on a site so that the siting of the building reflects the historical subdivision and development patterns existing in the street, particularly in situations where development is occurring on an amalgamated site. This ensures the 'grain' of the area (in terms of the size, spacing and rhythm of street-front buildings) is maintained; and
- Buildings shall also be located on a site so that they do not detract from the continuity of the front facade alignment of residential dwellings in the street; and
- Any existing traditional fencing along the front boundary shall be preserved or reinstated at the completion of development; and

- Buildings shall preserve the sense of original visual frontage access and interactivity between houses and the street, and shall not present blind or near-blind facades to the street; and
- Buildings shall maintain the predominance of pitched roof forms in the vicinity of the site; and
- Garages and carports shall not obscure the visibility of the existing building from the street, and shall, where possible, be located to the rear of, underneath (where appropriate in terms of topography), or alongside, the building on the site (particularly in relation to double garages/carports). The Council may consent to the location of a single car width garage or carport (approximately 2.9m wide) in the front yard where it is satisfied that:
 - No practical location is available elsewhere on the site; and
 - Any structure associated with the parking provision is minimal in scale, and designed in a manner which is coherent with the original architectural character of any building on the site; and
 - The garage or carport shall not obscure the visibility of the existing building from the street; and
 - There is no reserved on-street parking ('residents only' parking) available on the street.

Note: There is an expectation that new building construction in the Residential 1 zone will satisfy all of the assessment criteria or the Council may refuse consent.

S. External additions and alterations to existing buildings in the Residential 2a, 2b and 2c zones

To assist in the application of the following criteria, refer to the Architectural Design Guidelines for the Residential 1 and 2 zones (Appendix 13).

When assessing an application for a resource consent for building additions or alterations, the Council must be satisfied that the relevant objectives and policies for the zone have been met, and that:

- The form, mass, proportion and scale of the external addition or alteration shall be compatible with the original architectural style of the existing building on the site; and
- Materials used shall be the same or similar as existing materials of the building; and
- The additions and alterations shall not detract from the architectural character of period housing or landscape qualities that are predominant in the street; and
- The additions and alterations shall be located so that larger trees on the site and/or on adjoining land are retained, where this is not practical, replacement planting, particularly of indigenous trees where appropriate, shall be required.

Note: There is an expectation that new building construction in the Residential 2 zone will satisfy all of the assessment criteria or the Council may refuse consent.

T. Construction or relocation of residential units or any new building or accessory building in the Residential 2a, 2b and 2c zones

To assist in the application of the following criteria, refer to the Architectural Design Guidelines for the Residential 1 and 2 zones (Appendix 13).

When assessing an application for a resource consent for a new building (be it a residential unit, new building or accessory building), the Council must be satisfied that the relevant objectives and policies for the zone have been met, and that:

- The form, mass, proportion and scale of the building shall be compatible with the original architectural style of the existing building on the site (in the case of accessory buildings) or the original architectural style predominant in the street, and shall not ignore, compete with, or dominate that character. To demonstrate this, a site and context analysis shall be submitted which shows how the new building is sympathetic to the existing surviving

architectural elements of period housing predominant in the street (refer to Appendix 13 for more detail on the requirements for a site and context analysis); and

- Materials used shall be in sympathy and shall have a clear relationship to the traditional character and materials of buildings along the street; and
- New buildings shall not detract from the continuity and harmony of building forms in the street or detract from the coherence of the streetscape; and
- Buildings shall contribute positively to the special character of the street and be located on a site so that the siting of the building maintains the 'grain' (the size, space and rhythm of street-front buildings) of the street; and
- The building shall be located so that larger trees on the site and/or on adjoining land are retained, and where this is not practical, replacement planting, particularly of indigenous trees where appropriate, shall be required.

Note: There is an expectation that new building construction in the Residential 2 zone will satisfy all of the assessment criteria or the Council may refuse consent.

U. Demolition or removal of buildings (excluding accessory buildings) constructed prior to 1940 in the Residential 1, 2a, 2b and 2c zones

In considering an application to demolish (either totally or substantially) or remove any building (excluding any accessory building) constructed prior to 1940, the Council must be satisfied that the objectives and policies for the zone have been met.

Applications will also be considered against the following criteria:

- The extent to which the building has retained its original design features relating to form, mass, proportion and materials so that restoration/renovation of the building is practical and reasonable; and
- The extent to which the demolition or removal of the building will detract from the continuity and special character of the streetscape as a whole. To demonstrate this, a site and context analysis shall be submitted which shows the extent to which the existing building shares original design features with other buildings in the street (refer to Appendix 13 for more detail on the requirements for a site and context analysis); and
- Whether any historical qualities and original design features of the existing building are visible from a public place; and
- The extent to which the building is beyond rehabilitation in terms of poor structural or physical condition.

Note: There is an expectation that all of the above assessment criteria will be satisfied or the Council may refuse consent.

25. Amend clause 7.8.1.3 BUILDING IN RELATION TO BOUNDARY so that it reads:

(a) Residential 1 and 3a Zones - Height in Relation to Boundary

No part of any building shall exceed a height equal to 3m plus the shortest horizontal distance between that part of the building and any boundary of its site other than a road boundary.

Corner sites

An exception to the above is that for any corner site in the Residential 1 zone only, the control shall also apply to whichever is the longer of the two road boundaries.

Provided that this control shall not apply to the sites defined in Figure 7.3C. These defined sites will instead be subject to the controls set out in subclause (b) following.

26. Amend clause 7.8.1.3 BUILDING IN RELATION TO BOUNDARY so that the explanation for the Residential 1 and 3a zones reads:

Residential 1 and 3a Zones

A relatively built up, intimate environment characterises the Residential 1 and 3a zones. The close proximity of residential buildings on adjacent sites means that many of the existing buildings in these zones do not comply with the standard building in relation to boundary control applied to more spacious neighbourhoods. Expected levels of amenity in terms of daylight admission and separation of buildings on adjacent sites are also less.

In recognition of these factors, and in order to permit appropriate and sympathetic construction and alterations a more flexible control is applied in these zones.

In the Residential 1 zone, the building in relation to boundary control has been applied to one road boundary (the longer boundary) of a corner site to avoid buildings being overly dominant on two road frontages. The control has been applied to the longer boundary of a corner site to prevent significant building bulk being located along the more predominant road boundary.

27. Amend clause 7.8.1.7 YARDS so that it reads as follows:

A. Front Yard

~~Residential 1 and 3a Zones~~ Zone

No building or part of a building shall be erected between the road boundary and the average existing set back of residential units on adjacent sites in the zone. Adjacent sites in this context means:

- i) the three sites on each side of the subject site; or in the alternative
- ii) the six sites on one side of the subject site.

Residential units in this context means the residential dwelling on the adjacent site(s), excluding any accessory buildings or other structure, even if adjoined to the residential unit.

On sites other than rear sites, not less than ~~60%~~ 50% of the front yard shall comprise landscaped permeable surface. This landscaping requirement shall apply on each frontage of a corner site.

Residential 3a Zone

No building or part of a building shall be erected between the road boundary and the average existing set back of residential units on adjacent sites in the zone. Adjacent sites in this context means:

- i) the three sites on each side of the subject site; or in the alternative*
- ii) the six sites on one side of the subject site.*

On sites other than rear sites, not less than 60% of the front yard shall comprise landscaped permeable surface. This landscaping requirement shall apply on each frontage of a corner site.

Residential 2a, 2b, 2c and 3b Zones

No building or part of a building shall be erected within the first 6.0 metres of the site provided that on a corner site one yard may be reduced to 3.0 metres.

On sites other than rear sites, not less than

28. Amend clause 7.8.1.7 YARDS so that the explanation for the Residential 1 and 3a zone reads as follows:

Residential 1 and 3a Zones

Consistency of building set-back is one of the character forming elements of some roads in these zones. In other roads, set-backs show a gentle variation. In both cases the foregoing 'lining up' provisions ensure consistency with existing character.

In the Residential 1 zone, the landscaping requirement for the front yard is less than that for other special character zones in recognition that areas in this zone are generally characterised by a highly built up appearance. It is also recognised that sites are generally small and narrow and that off-street parking can, under certain circumstances, be provided within the front yard, where reserved on-street parking ('residents only' parking) is not available in the street.

29. **Amend clause 7.8.1.9 VEHICULAR USE OF RESIDENTIAL SITES so that the explanation for the Residential 1 and 3a zone reads as follows:**

It is recognised that in these zones there is often limited opportunity to provide off-street parking on the generally small, highly developed sites which characterise these zones. For this reason off-street parking can, under certain circumstances be provided in the front yard, either in carports or garages, paved open spaces or in excavated basement garaging under dwellings. However, such developments are dealt with as ~~controlled~~ discretionary activities and assessed in terms of the criteria outlined in ~~CLAUSE 7.7.3.2 Additional Criteria for Specific Activities of the Plan~~ 7.7.4.3 Further Criteria to be considered.

30. **Insert the following development control after clause 7.8.1.14 ADDITIONAL CONTROLS FOR HOME OCCUPATION:**

7.8.1.15 FENCES, WALLS OR OTHER STRUCTURES IN THE RESIDENTIAL 1, 2a, 2b and 2c ZONES

Residential 1 zone

No fence, wall or other structure (not defined as a building), other than a 1.2m high picket fence, shall be constructed within the front yard required by Clause 7.8.1.7A.

Residential 2a, 2b, 2c zones

No fence, wall or other structure (not defined as a building) within the front yard required by Clause 7.8.1.7A shall exceed a maximum height of 1.4 metres.

Except that, the height of the fence, wall or other structure can be increased to a maximum height of 1.8 metres provided that a minimum of 40% of the entire structure is visually permeable.

Visually permeable in this context means the ability to clearly see through the street frontage elevation of the entire structure, and is determined by a comparison of the solid portion of the structure against any gaps provided.

Refer to the Architectural Design Guidelines for the Residential 1 and 2 zones (Appendix 13) for further detail on this control.

Explanation

Residential 1 zone

It is recognised that in this zone, the front garden and house frontage is traditionally open to view, often beyond a low picket fence. For this reason, walls and fences generally need to be characteristic of the era being protected. In recognition of some areas within this zone being on a lava flow where there may be a legacy of scoria walls, in exceptional cases a low stone wall may be appropriate. Concrete block or stucco walls shall generally be avoided.

Residential 2 zone

High, solid fences and walls detract from the spaciousness and well-landscaped qualities that are characteristic of areas in this zone. It is considered important that fences and walls are either low in height (where solid) or are sufficiently visually permeable to ensure that the spacious and well-landscaped front yards remain visible from the street.

PART D: Amendments to Appendices and Annexures.

1. **Amend Annexure 4 Architectural Design Guidelines to delete any reference to the Residential 1 and 2 zone.**

2. **Insert the following Architectural Design Guidelines for the Residential 1 and 2 zones as APPENDIX 13 in the appendices section of the Isthmus District Plan.**